

NOTICE OF INTENT

Department of Environmental Quality
Office of Air Quality and Radiation Protection
Radiation Protection Division

Under the authority of the Louisiana Environmental Quality Act, La. R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, La. R.S. 49:950, et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Radiation Protection Division regulations, LAC 33:XV.Chapters 3 and 13 (Log # NE018).

Minor changes are being made by this proposed rule to Chapters 3 and 13, primarily to clarify the regulations. These changes were suggested by the Nuclear Regulatory Commission (NRC) for the State of Louisiana to maintain compatibility with federal regulations and to remain fully compatible as an NRC Agreement State.

This proposed rule meets the exceptions listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

A public hearing will be held on June 26, 1997, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate please contact Patsy Deaville at the address given below or at (504) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by NE018. Such comments should be submitted no later than July 3, 1997, at 4:30 p.m., to Patsy Deaville, Investigations and Regulation Development Division, Post Office Box 82282, Baton Rouge, LA 70884 or to fax number (504) 765-0486. Copies of this proposed regulation can be purchased at the above referenced address. You may contact the Investigations and Regulation Development Division at (504) 765-0399 for pricing information. Check or money order is required in advance for each copy of NE018.

This proposed regulation is available for inspection at the following DEQ office locations from 8:00 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, 4th floor, Baton Rouge, LA 70810; 804 31st Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508. This regulation is also available on the Internet at <http://www.deq.state.la.us/olae/irdd/olaeregs.htm>.

Gus Von Bodungen
Assistant Secretary

Title 33
ENVIRONMENTAL QUALITY
Part XV. Radiation Protection

Chapter 3. Licensing of Radioactive Material

Subchapter C. General Licenses

§325. General Requirements for the Issuance of Specific Licenses

* * *

[See Prior Text in A - D.7.c]

d. Except for areas containing only sealed sources (provided the sources have not leaked or no contamination remains after any leakage has occurred) or byproduct materials having only half-lives of less than 65 days, a list contained in a single document and updated every two years that shall be kept on the following:

i. all areas designated and formerly designated restricted areas as defined in LAC 33:XV.102;

ii. all areas outside of restricted areas that require documentation under LAC 33:XV.325.D.7.a;

iii. all areas outside of restricted areas where current and previous wastes have been buried, as documented under LAC 33:XV.478; and

iv. all areas outside of restricted areas that contain material such that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under LAC 33:XV.461.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Repealed and repromulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR23

Title 33
ENVIRONMENTAL QUALITY
Part XV. Radiation Protection

Chapter 13. Licensing Requirements for Land Disposal of
Radioactive Waste

Subchapter A. General Provisions

§1302. Definitions

A. As used in this Chapter, the following definitions apply:

* * *

[See Prior Text]

Geologic Repository—a system that is intended to be used, or may be used, for the disposal of radioactive waste in excavated geologic media. A geologic repository includes the geologic repository operations area and the portion of the geologic setting that provides isolation of the radioactive waste.

* * *

[See Prior Text]

Land Disposal Facility—the land, buildings, structures, and equipment that ~~is~~ are intended to be used for the disposal of radioactive wastes ~~into the subsurface of the land~~. For purposes of this Chapter, a "geologic repository" is not considered a "land disposal facility."

* * *

[See Prior Text]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 23

§1307. Specific Technical Information

The specific technical information shall include the following information needed for demonstration that the performance objectives and the applicable technical requirements of this Chapter will be met:

* * *

[See Prior Text in A - I]

J. A description of the quality ~~control~~ assurance program, tailored to low-level radioactive waste disposal, developed and applied by the applicant for the determination of natural disposal ~~site~~ characteristics and for quality ~~control~~ assurance during the design, construction, operation, and closure of the land disposal facility and for the receipt, handling, and emplacement of waste. ~~Audits and managerial controls must be included.~~

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[See Prior Text in K - M]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 23